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A Future Without Forgiveness: Beyond Reconciliation in Transitional Justice

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Abstract:

This article questions the promotion of reconciliation in transitional justice contexts. The article puts forward a critique of reconciliation in practice and questions mainstream definitions of reconciliation. The principle that these forms of reconciliation are desirable is also questioned. It is argued that examples of genuine reconciliation are difficult to find, that the promotion of reconciliation is frequently emphasised at the expense of substantive societal change, that emphasis on reconciliation (narrowly defined) risks taking agency away from those affected by conflict and that emphasis on reconciliation may obscure injustice and may promote acceptance of the status quo. The article suggests that reconciliation is not a necessary condition of, and should be de-emphasised in, transitional justice and, if it is promoted at all, that a different, less prescriptive notion of reconciliation is necessary.

Keywords: reconciliation; forgiveness; social change; transformative justice; transitional justice; victim agency.

A Future Without Forgiveness: Beyond Reconciliation in Transitional Justice

Introduction

Transitional justice is a concept and a set of theories, ideas and practices, which has over the course of several decades come to occupy a prominent position in international politics. Along with the (at times) overlapping notion of peacebuilding, the toolkit of transitional justice is frequently drawn upon by local and international actors (state and non-state) making interventions into political, social and legal responses to periods of conflict or authoritarian rule (see, for example, Annan, 2004; Gready, 2011; Lai, 2016). This toolkit frequently comprises some combination of trials, amnesties, truth commissions and (at least recommended) reparations programmes and institutional reforms (see, for example, Waldorf, 2012; Gready and Robins, 2014). These tools, at least on the face of it, are intended to promote the goals of transitional justice, whether accountability, justice, truth or reconciliation (Annan, 2004). These goals are, however, contestable (Leebaw, 2008; Bell, 2009). This article focuses on reconciliation. In addition to being a key concept in the politics of transitional justice and peacebuilding (Annan, 2004; Hamber and Kelly, 2004), reconciliation as an idea is intertwined with and promoted by a global politics of reconciliation (Renner, 2014). On the one hand reconciliation is frequently put forward as a desirable – or even necessary – goal in transitional justice and other attempts to address division and conflict in post-conflict societies. On the other hand there is a growing body of literature which is critical of reconciliation both in theory and in practice. Engaging with this literature, this article seeks to assess whether reconciliation should be promoted. It asks what is meant by reconciliation and what purpose reconciliation serves. The article further puts forward recommendations regarding avoiding the pitfalls associated with problematic definitions and applications of reconciliation. In this regard the article argues against reconciliation of the sort which is frequently promoted.

First the article interrogates a number of interpretations of what reconciliation is and what it ought to be. A range of competing and at times opposing definitions emerge. Different understandings of what reconciliation is influence and are influenced by the different purposes these notions serve. The article discusses competing and opposing aims of reconciliation after the exploration of what reconciliation is. Following this, the article considers whether reconciliation is possible in practice. It is argued that for the promotion of reconciliation to be defensible it is necessary to avoid prescriptive narratives, that individual and collective notions of reconciliation must be distinguished and that reconciliation should not be promoted at the expense of other measures which may have a more substantive impact upon post-conflict societies.

What is reconciliation and what is it for?

There are a variety of competing and at times opposing conceptions of what reconciliation is (Schaap, 2008, pp. 250-251; Bloomfield, 2006). These include reconciliation as forgiveness and reconciliation as acceptance (Hamber, 2007). Moreover, different conceptions of reconciliation posit the concept as individual, collective or as a combination of the two (Borer, 2004; Bloomfield, 2006). Indeed, it has been argued that reconciliation is an empty universal, a ‘vague yet powerful’ social ideal that cannot be clearly defined and lacks content in itself (Renner, 2014, p. 267). Tristan Anne Borer notes that ‘seldom is anyone talking about the same thing when using the term’ (2004, p. 23). If this is to be avoided it is vital that attempts to promote reconciliation are clear about what reconciliation is.

It is also worthwhile asking what reconciliation is for. This impacts upon whether it is worthwhile promoting reconciliation and is dependent upon what reconciliation is taken to be. Paul van Zyl succinctly sums up that ‘[i]t is extremely hard to embark upon initiatives aimed at promoting reconciliation when different political groups and individuals define reconciliation in different ways’ (van Zyl, 1999, p. 662). On the one hand, goals such as

individual or societal healing may be desirable. On the other hand, it is possible that reconciliation is appropriated for less desirable ends. Indeed, there is a danger that the supposed goals of transitional justice and peacebuilding are in practice undermined by the uses which reconciliation is put to.

Drawing on Marx and Engels, Andrew Schaap argues that whilst reconciliation is not ‘*necessarily* an “idea of the ruling class”... it might *contingently* be so’ (Schaap, 2008, p. 249; emphasis in original). This criticism might reasonably be extended to the challenge levelled at transitional justice more broadly, that even if not inherently so, it has too often facilitated the logic of neoliberalism (Gready and Robins, 2014, pp. 341-342). This article largely proceeds taking the stated aims of transitional justice at face value, that it comprises ‘the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation’ (Annan, 2004, p. 6). Nevertheless, there are good reasons to maintain a critical perspective on, if not scepticism of, transitional justice. A major criticism of transitional justice (at least as it is frequently practiced) is that its primary effect – or perhaps even its primary purpose – is to facilitate and normalise the functioning of markets in a globalised capitalist economy (see, for example, Lai, 2016; Gready, 2011, pp. 212-213). Stability – of a particular sort – might be the goal and priority rather than addressing the needs and concerns of those affected by the period of conflict (Robins, 2011; see also Bell, 2009; Lai, 2016). It is necessary to question the purposes, forms and likely results of processes and mechanisms ostensibly put forward to address societal harms, conflict and division. Specific notions of what reconciliation is and ought to be, what reconciliation is for, the ways in which it might be achieved and whether this is desirable are a part of this.

Reconciliation versus societal change

Despite frequently being prioritised by those affected by conflict, socioeconomic conditions and widespread societal change are not typically emphasised in transitional justice processes (Waldorf, 2012, p. 175). Some understandings of reconciliation feed into this tendency.

In South Africa, the notion of reconciliation promoted by the Truth and Reconciliation Commission (TRC) comprised both individual and collective aims (Borer, 2004). Much of the TRC's discourse around individual reconciliation became strongly tied to quasi-religious notions of forgiveness, whereas when ideas of collective reconciliation were deployed these were largely geared around the (potentially contradictory) notion of promoting national unity (Borer, 2004). The TRC's approach, 'claiming... a national singularity that supersedes past divisions', has been criticised for facilitating a situation in which 'white, or, in rare instances, black offenders, are able to return to their barricaded suburban homes, absolved from their complicity in the maintenance of apartheid, free to enjoy the benefits of historic, racist inequity' (Farred, 2004, p. 114; see also Mamdani, 2002). Mahmood Mamdani has argued that South Africa's post-apartheid transition represents an attempt to produce 'reconciliation without justice' (Mamdani, 1996). He argues that for the TRC:

injustice is no longer the injustice of apartheid: forced removals, pass laws, broken families. Instead, the definition of injustice has come to be limited to abuses within the legal framework of apartheid: detention, torture, murder. Victims of apartheid are now narrowly defined as those militants victimised as they struggled against apartheid, not those whose lives were mutilated in the day-to-day web of regulations that was apartheid (Mamdani, 1996).

Whereas:

[i]n the South African context, perpetrators are a small group, as are those victimised by perpetrators. In contrast, beneficiaries are a large group, and victims defined in relation to beneficiaries are the vast majority in society (Mamdani, 1996).

Whilst the TRC ‘became a number one export’, since the end of apartheid ‘the gap has widened between this bright vision of a ‘rights paradise’ and the grim everyday social, economic and political realities experienced by the majority of South Africa’s citizens’ (Robins, 2008, p. 2). This is in part due to the promotion of the TRC’s notion of reconciliation at the expense of emphasis upon addressing wider societal conditions (Huggins, 2009, p. 336). Moreover, in South Africa, a range of alternative conceptions of reconciliation have been articulated:

Certain South African parties stress that reconciliation will only occur once black citizens are adequately compensated for years of discrimination in the areas of health care, housing and education. Others argue that a preoccupation with past injustices is an obstacle to reconciliation, and that a unified nation can only be built by focusing on the future. Still others argue that the return of land from which Africans were forcefully removed is central to reconciliation, while some contend that the creation of a whites-only *Volksland* (homeland) for Afrikaners is the only way to ensure peaceful coexistence (van Zyl, 1999, pp. 662-663).

Indeed, it has been suggested that the only reason reconciliation was agreed upon as a component of the post-apartheid settlement by the parties engaged in negotiations is the wildly different – and contradictory – ideas of reconciliation held by the African National Congress (ANC) on the one hand and the National Party on the other (Renner, 2014, p. 265). Similarly, Borer argues that ‘the question “Are South Africans reconciled” is meaningless unless the sense in which the questioner is using the word reconciliation is made clear’ (2004, p. 19; see also Matthews, 2010). Whilst the conception of reconciliation which was promoted

through the TRC was not quite the call to ‘let bygones be bygones’ promoted in National Party discourse (Norval, 1998, p. 256), neither was it strongly linked to addressing socioeconomic injustice or to wider societal change. This is not to say that wider societal change is necessarily incompatible with all notions of reconciliation. As mentioned above, some conceptions of reconciliation are strongly tied up with calls for societal change (see also Mamdani, 1996). However, as indicated by Judith Renner (2014), it may not have been possible for the ANC and National Party to agree on promoting reconciliation if this had been defined as including substantive societal change.

It could be argued that the agreement to pursue reconciliation in spite of a lack of a shared definition is advantageous, allowing the idea – even if undefined – to remain central in negotiations and the transitional settlement. However, this position should not be accepted. As discussed above, various notions of reconciliation put forward in South Africa are not only different to each other, but are at times outright contradictory. The idea that a notion of reconciliation ought to be pursued even if it is undefined, or clarification of its definition is deferred, undermines the case for societal change as a key aspect of transition. Mamdani, for instance, asks ‘[i]f reconciliation is to be durable, would it not need to be aimed at society (beneficiaries and victims) and not simply at the fractured political elite (perpetrators and victims)?’ (Mamdani, 1996).

Given the unlikelihood of a notion of reconciliation emphasising societal change being promoted and the good reasons for thinking widespread societal change post-apartheid is desirable, the question is invited as to whether it is more desirable to emphasise societal change than it is to emphasise reconciliation of the sort promoted by the TRC (see, for example, Valji, 2004). Here it is argued that this notion of reconciliation should not be prioritised above a number of other concerns, including societal change, in transitional justice settings.

The approach to transitional justice taken in Rwanda is somewhat different to South Africa. Mamdani has suggested this model amounts to ‘justice without reconciliation’, the opposite of the South African case (Mamdani, 1996). Nevertheless, the Rwandan government claims to pursue an agenda of reconciliation. However, this is strongly linked to an authoritarian imposition of the government’s narrative and the denunciation – or outright criminalisation – of opposing positions (Waldorf, 2009; Melvin, 2012). This is a rather different notion to that promoted by the TRC and is much more obviously problematic. Indeed, it is much more difficult to find supporters of the Rwandan government’s notion of reconciliation than it is to find positive responses to the TRC. Nevertheless, the notion of reconciliation put forward by the TRC can lead to the marginalisation of calls for societal change in ways which parallel the impact of the notion of reconciliation put forward in Rwanda. The Rwandan government’s version of reconciliation represents an example of one group making ‘its version [of national memory] the basis of national identity’ (Norval, 1998, p. 255; emphasis in original). Regardless of its claim to be pursuing reconciliation, the Rwandan government ‘has not shown a serious commitment to healing the wounds what persist between either individual Rwandans or the groups that they comprise’ (Kohen *et al*, 2011, p. 87). Substantive societal change is not on the agenda in part due to the imposition of a notion of reconciliation which excludes the questioning of the current political and socioeconomic paradigm (Clark, 2010).¹ In addition to the problematic mode of its imposition (amounting to ‘brainwashing’ in the views of some commentators) (see, for example, Mgbako, 2005, p. 219; Makhunga, 2015), this conception of reconciliation should be opposed due to its disallowing dissent and its construction of the present societal dispensation as fixed and incontestable.

Reconciliation as obscuring injustice and promoting acceptance of the status quo

Related to the issues discussed above is the possibility that at least some visions of reconciliation can serve to obscure injustice and promote acceptance of the status quo (Schaap, 2008). Transitional justice programmes are typically conceived as being relatively short term, time-bound interventions (see, for example, Waldorf, 2012). Even if this is not intended, the nature of common transitional justice programmes such as trials and truth commissions can give the impression that once these have completed their immediate tasks the work of justice is over. Ongoing injustice may be obscured through an insistence on the separation between a past period of conflict, a period of transition (during which reconciliation takes place) and a reconciled present. This can be the case either when official state narratives of reconciliation and notions of national unity are imposed, such as in Rwanda (see, for example, Melvin, 2012), or where questioning of (at times vague) ideas of what it means to be reconciled (and the importance of being reconciled) may lead to political or social marginalisation, such as in South Africa (Tutu, 1999; Borer, 2004; Renner, 2014; Madlingozi, 2007; see also Hamber and Kelly, 2016).

Furthermore, in a number of contexts, including Latin American countries, Spain and Angola, reconciliation is tied up with the notion that the past ought not to be revisited and, perhaps, that injustices ought to be forgotten (Collins, 2008; Davis, 2005; van Wijk, 2012; Encarnación, 2008). In this paradigm it becomes difficult to challenge both structural violence rooted in the past and the legacies of direct violence. Whilst ruptures of this paradigm might be possible (see, for example, Collins, 2010), resistance to this is frequently framed in terms of reconciliation (see, for example, van Wijk, 2008, pp. 748-749; Davis, 2008, p. 867). In Rwanda, for instance, as discussed above, reconciliation is mobilised by the government to ‘bolster political support, silence opposition and promote development that is primarily uneven’ (Melvin, 2012, p. 3). In these kinds of cases reconciliation might be seen as facade (Melvin, 2012). To admit to the existence of unresolved societal divisions or

unaddressed injustices is to break a powerful taboo (in some cases a legally enforced one) (Davis, 2008; Melvin, 2012). Reconciliation may be put forward as desirable or even necessary, yet these manifestations of reconciliation do not meaningfully address the sources or legacies of conflict. Indeed, mobilisation of reconciliation in the service of top down visions of national unity, or of forgetting, works against addressing these issues. In some cases at least, there is evidence that these manifestations of reconciliation are actively harmful in that they obscure ongoing injustices and in doing so may even contribute to the re-emergence of conflict or worsening of divisions in society (see, for example, Buckley-Zistel, 2006). The promotion of these versions of reconciliation ought to be opposed.

Reconciliation as removing agency

The promotion of particular notions of reconciliation risks removing agency from individuals and groups affected by conflict. This is particularly evident in cases where reconciliation is presented as forgiveness and in cases where reconciliation is defined in relation to a particular narrative of national unity.

There is evidence that forgiveness can be beneficial for individual victims of conflict and, perhaps, for society as a whole (Cehajic *et al*, 2008, p. 352; Tam *et al*, 2008). However, where reconciliation is taken to require forgiveness there is a serious danger of undermining the agency of those affected. This is especially the case when reconciliation is put forward as necessary for society but dependent upon individual forgiveness. Here individual victims are – to at least some degree – treated as a means to an end. The needs, views and preferences of victims are subordinated to the (supposed) needs of the collective, nation or society (Hamber and Wilson, 2002). This is problematic. Even if individual forgiveness is not promoted as necessary for societal reconciliation, agency may be removed through the promotion of the idea that victims *ought* to forgive. Here a victim fails to behave in the expected, acceptable manner if they are unable or unwilling to forgive. In addition to placing the responsibility for

addressing the impact of conflict on those who are harmed by it, this prescription serves to undermine the autonomy of victims and to divide them into the praiseworthy (willing or able to forgive) and the condemnable (unable or unwilling to forgive). Perhaps, as Oliver Burkeman notes in relation to the Charleston church shootings,² '[t]o offer [forgiveness], as families of the victims did, can be overwhelmingly powerful. To urge others to show it, as various onlookers did, is about as obnoxiously bullying as it gets' (Burkeman, 2015). Desmond Tutu is wrong to assert that there is no future without forgiveness (Tutu, 1999). For Tutu forgiveness is almost always paired with reconciliation (Tutu, 1999). Those TRC participants who forgive are praised for their magnanimity, whereas those who are unable or unwilling to forgive are largely ignored or dismissed as outliers (see Tutu, 1999). Yet, these victims, whether or not they appeared at the TRC, do exist (see, for example, Madlingozi, 2007). It is important not to dismiss their concerns or to impose an agenda (for instance, one prioritising forgiveness as reconciliation) without the meaningful participation of victims in articulating what their needs are and shaping how they might be met (see, for example, Robins, 2011).

There is also evidence that retribution 'may be just as effective at creating symbolic closure' as (often forgiveness-oriented) reconciliation (Hamber and Wilson, 2002, p. 35). This further damages the case for pursuing reconciliation as forgiveness. Questions are invited with regard to why forgiveness-oriented reconciliation ought to be preferred over retribution. In particular, given the dangers associated with removing agency through the requirement to forgive, it is more difficult to make the case that reconciliation of this sort is inherently superior to retribution. Advocates of forgiveness-oriented reconciliation frequently do not take account of either the risks of this notion of reconciliation or of the possibility that retribution might be effective as measured against the same criteria as reconciliation (see, for example, Tutu, 1999). Mamdani argues, for instance, that:

neither recovery nor revelation (of truth) has to lead to a healing of past wounds. Either may just as well lead to rage on the part of victims, triggering revenge, or fear on the part of former perpetrators, leading to a demand for separation (Mamdani, 1996).

He poses a number of further questions, which cannot be easily answered by those who put forward reconciliation, especially forgiveness as reconciliation, as both necessary and likely following conflict and division. Mamdani asks:

To what extent is the shift of focus from beneficiaries to perpetrators, and from victims as the majority to victims as a minority, likely to generate growing resentment amongst the excluded majority who understandably expect to gain from reconciliation and forgiveness? To what extent does a process that ignores the aspirations of the vast majority of victims, risk turning disappointment into frustration and outrage, creating room for a demagogue to reap the harvest? (Mamdani, 1996).

If symbolic closure is one desirable outcome of reconciliation, the question is invited as to what else is desirable in addition to this and which notions of reconciliation, if any, can deliver this better than retribution.

Where the promotion of reconciliation is intertwined with a particular narrative of national unity it may also remove agency from those affected by conflict. This is the case both when an official narrative is imposed and when specific reconciliatory ideals are tied to nation-building pursued through less authoritarian means. Brandon Hamber and Richard Wilson, for instance, point out that ‘the mythology of nation building can have damaging consequences for individual survivors who are seen as “out of step” with a putative collective conscience’ (2002, p. 36; see also Hamber and Kelly, 2016). This is most clearly evident in extreme cases such as Rwanda’s authoritarian notion of reconciliation as denying ethnic identities and denouncing or even criminalising dissent (Waldorf, 2009; Clark, 2010). It is,

however, also present in other contexts, more typically viewed as benign, such as South Africa (Hamber and Wilson, 2002, pp. 35-37; Schaap, 2008, p. 251). Nahla Valji, for instance, notes that ‘the TRC, in its determined pursuit of a particular kind of reconciliation, was ironically silent on the issue of race’ (Valji, 2004, p. 1). Moreover, ‘the result has been a superficial reconciliation which denies the implications of a racist past, has left much of the structures of inequality intact and unaddressed and has suppressed dialogue on the persistence of racism in the new South Africa’ (Valji, 2004, p. 5). Brandon Hamber and Gráinne Kelly note a somewhat similar situation in Northern Ireland, that “although largely effective in halting violence”, the peace deal “has been characterized as an elite-driven agreement that leaves ethnic divisions in place” (Hamber and Kelly, 2016, p. 26). Indeed,

The conventional transitional narrative seeks to deny continuities between past and present in order to forgo the need for a more fundamental break from previous social arrangements; it attempts to install moderate progress in place of qualitative transformation. At the limit, such a vision becomes a form of narrative fetishism, its version of progress built on disavowal of the ongoing production of trauma and inequality in the present (Rothberg, 2012a, p. 7).

Where reconciliation is mobilised as part of such narratives, those who assert victimhood risk being marginalised, having their concerns dismissed and being labelled ‘bad victims’ (see, for example, Madlingozi, 2007). Tshepo Madlingozi, for instance, notes that in South Africa the Khulumani Support Group’s ongoing advocacy on behalf of their members, contestation of the post-apartheid settlement and opposition to the notion of reconciliation promoted by the TRC has led to the group (the only national victims’ organisation) being marginalised and attacked as spoilers of the new era of national unity (Madlingozi, 2007, pp. 119-124). Moreover, membership of Khulumani ‘by way of self-identification as a “victim” or “survivor”, as opposed to being “certified” by a state agency, contributes to affirming the

agency of these victims' (Madlingozi, 2007, p. 120). In contrast, the formal criteria for victimhood and the notions of reconciliation – as based on individual forgiveness and promoting national unity – pursued through the TRC serve to exclude and disempower those who do not fit into these categories. Furthermore, victims of conflict frequently prioritise socioeconomic issues over other concerns (Waldorf, 2012, p. 175; Robins, 2011). Focusing transitional justice mechanisms on promoting a notion of reconciliation rather than upon addressing the articulated concerns or priorities of those affected by conflict risks treating victims as a means to an end and undermines the legitimacy of programmes intended to address the effects of conflict (Robins, 2011; Robins, 2013; Mamdani, 1996; Mamdani, 2002; Eastmond, 2010).

Is reconciliation possible?

It has already been mentioned that whether reconciliation is possible depends very much upon what is meant by reconciliation. It is certainly the case that many of the forms of reconciliation which are commonly promoted are highly ambitious. It is also highly questionable whether this ambition is ever realised. This invites the question of whether promoting reconciliation is a worthwhile endeavour.

The most ambitious claims regarding the implementation of reconciliation are frequently also the most difficult to measure. For instance, there is some evidence that the South African population views the TRC largely positively and there is evidence to suggest at least some if its aims were achieved (Gibson, 2005). On the other hand, there are activists, scholars and commentators who have been critical of the TRC and who have countered claims that it is generally viewed positively in South African society (see, for example, Valji, 2004; Mamdani, 2002). Measuring the extent of reconciliation specifically is particularly difficult. There is frequently a gap between aspiration and the empirical (Borer, 2004, pp. 20-21). Moreover, assessing reconciliation requires first settling on which version of

reconciliation is being measured, who ought to be the subject of the measurement and how measurements ought to be taken (Borer, 2004, p. 20; see also Bloomfield, 2006; Hamber and Kelly, 2004). Each of these presents a difficulty. Nevertheless, attempts have been made to assess the extent of reconciliation (of various sorts) in a variety of contexts.

Societal reconciliation

Aletta Norval points to the impossibility of full societal reconciliation (Norval, 1998, p. 261). She argues that '[s]ince full reconciliation depends upon a complete coincidence with the self, it by definition rules out any relation to another which prevents such self-completion' (Norval, 1998, p. 261). Michael Rothberg suggests that the best that can be hoped for regarding societal reconciliation may be members of a society accepting that the period of conflict, division or atrocities occurred within their society (Rothberg, 2012b). Whilst this may seem to be a low bar to set, many forms of reconciliation, especially those concerned with society rather than individuals, are not only extraordinarily ambitious but are also rarely achieved (see, for example, Waldorf, 2012). Overpromising with regard to the extent to which reconciliation is likely to occur is in itself problematic (Waldorf, 2012, p. 179). Moreover, there is a danger of condemning the good for its imperfection (see, for example, Gready, 2010, p. 188). Norval and Rothberg may both be correct in suggesting that full societal reconciliation is at least tremendously unlikely and may be outright impossible (Norval, 1998; Rothberg, 2012b). This does not, however, mean that no elements of societal reconciliation can ever be achieved or that any attempts to move towards these would be a bad thing. There is, for instance, evidence to suggest that activities facilitating contact, trust and empathy between members of formerly antagonistic groups can have a positive impact on intergroup (rather than only interpersonal) relations (Cehajic *et al*, 2008). Rather than abandoning the notion at any aspects of societal reconciliation can be successfully promoted, a nuanced approach is necessary, taking account of the limitations inherent in such an undertaking as well as the

dangers attached to deploying ill-defined notions of reconciliation as an empty signifier (Renner, 2014).

Interpersonal reconciliation

Interpersonal reconciliation has a number of possible components. Individual forgiveness is one (Borer, 2004, pp. 28-29). The acceptance of living alongside one another by members of (previously) antagonistic communities is another (Aiken, 2010). Both of these are possible. Neither is certain (see, for example, Tutu, 1999; Aiken, 2010; Tam *et al*, 2008; Rothberg, 2012b). Moreover, they may not be possible without significant long term intervention and support and may not be possible at all in all cases. Particularly with regard to individual forgiveness or reconciliation between specific victims and perpetrators, the danger of removing agency and marginalising those who do not forgive has already been discussed. This then leads to the question of whether the possibility of these kinds of reconciliation ought to be pursued when there may be little chance of success. It is argued here that reconciliation of a sort which requires individuals to forgive (particularly that which requires victims to forgive perpetrators) should not be pursued.³

In contrast, there are good reasons for thinking that interaction between members of previously antagonistic communities, with a view to facilitating acceptance of living alongside one another, is desirable. There is also evidence that, whilst this may be difficult and require long term intervention, that it is possible (Aiken, 2010; Cehajic *et al*, 2008). Furthermore, Nevin Aiken argues that in order for the ‘social learning’ necessary for this kind of reconciliation to be successful ‘sustained attempts to reduce structural and material inequalities and limit perceptions of inequitable power relations between former antagonists’ are also required (Aiken, 2010, p. 171). This points both to the dangers of attaching the notion of reconciliation to an oversimplified narrative of a short, time-bound transition period (discussed above), and to the potential need for transformative justice (either as a part of or

parallel to existing transitional justice measures) (Aiken, 2010, p. 171; Gready and Robins, 2014). Indeed, a transformative justice approach may yield further lessons for debates over reconciliation. Advocates of transformative justice argue in favour of emphasising the agency of those affected by conflict and taking a longer term, more bottom-up, process-oriented approach than is typical in transitional justice (Gready and Robins, 2014; Evans, 2016). Applying this to interpersonal reconciliation suggests both the need to avoid prescription with regard to whether or not individuals forgive one another, and the need to support sustained processes if positive contact between members of previously antagonistic groups is to be facilitated. Moreover, when other concerns, such as socioeconomic conditions and structures of inequality, are prioritised by those affected (see, for example, Eastmond, 2010, pp. 11-12), applying a transformative justice lens suggests that promoting reconciliation ought not to be a priority as a matter of course.

Conclusion: should reconciliation be promoted?

If the question asked is simply ‘should reconciliation be promoted?’, then the answer might be ‘it depends’. Similarly, if the question is ‘should one be against reconciliation?’, the answer might be ‘not necessarily’. Neither of these questions are especially illuminating, nor are their answers particularly helpful. Yet these are the kinds of questions one is left with, and the kinds of answers which must be provided, if sufficient clarity is not provided regarding what reconciliation is, what it is for and whether it is likely to be achieved. The discussion above details a number of potentially problematic notions of reconciliation and the risks attached to promoting these. Circumstances under which several forms of reconciliation (some of which are not inherently problematic) might reasonably be achieved are also discussed. It is argued, however, that many of the forms of reconciliation frequently promoted in transitional justice should not be pursued. Furthermore, it is argued that reconciliation should not be prioritised in transitional justice. Three main conclusions may be

reached. First, reconciliation can be defined in a wide variety of potentially contradictory ways. Reconciliation may also be left without a clear definition (see, for example, Renner, 2014). If the desirability or feasibility of reconciliation is to be assessed in a given context it must be defined clearly and carefully. Reconciliation without definition should not be promoted. Lack of clarity over what reconciliation is and what it is intended to achieve undermines attempts to address conflict and injustice. Without clear definition it is not possible to properly assess whether reconciliation is desirable or likely to be successful in any given instance (see, for example, Hamber and Kelly, 2004; Bloomfield, 2006; Matthews, 2010).

Related to and building on the first conclusion is the second. Several notions of reconciliation which have been put forward in post-conflict, post-authoritarian and divided societies are not desirable and should not be promoted. These include reconciliation which requires (rather than allows) forgiveness of perpetrators by victims, reconciliation as forgetting injustice and reconciliation which silences dissent (see, for example, Madlingozi, 2007; Melvin, 2012; Davis, 2005).

The third conclusion drawn from the above discussion is that reconciliation should not be prioritised over concerns which are of more importance to those affected by conflict (see, for example, Huggins, 2009; Robins, 2011; Robins, 2013; Eastmond, 2010). This is particularly the case if reconciliation is vaguely defined – in contrast to concrete demands of victims – or where reconciliation is defined in such a way that it is very unlikely to be achieved. Taking the broad aims of transitional justice at face value, as aiming to deal with past injustice and the legacies of societal conflict and division, transitional justice interventions ought to focus on addressing the needs and concerns of those affected rather than requiring that reconciliation (however defined) is always a key concern. Moreover, there is a need to take account of the limitations, shortcomings and contradictions present in

transitional justice (see, for example, Leebaw, 2008; Bell, 2009; Gready and Robins, 2014; Evans, 2016). This requires looking beyond transitional justice, at least in the forms that it is frequently conceived, and beyond reconciliation, when necessary.

Notes

1. One of the anonymous reviewers of this article raised the point that reconciliation has little to do with socioeconomic policies pursued in South Africa or Rwanda. This is an important point, which serves in some ways to underline the argument put forward in this piece. Notions of reconciliation which are put forward as entirely separate from socioeconomic conditions, and the policies which affect these, are problematic (see, for example, Valji, 2004; Eastmond, 2010; Lai, 2016). Socioeconomic policies may undermine reconciliation depending upon the kinds of policy agenda pursued and on what reconciliation is taken to mean. It is, therefore, important that there is clarity over what (if any) notion of reconciliation ought to be pursued in a given context and how this might be pursued through or prevented by particular social and economic policies.
2. Where nine people were shot dead in an apparently racially motivated attack on the congregation of the historically black South Carolina church in June 2015 (see, for example, Phelps, 2015).
3. This is not to say, however, that *allowing* forgiveness would be a bad thing, or that forgiveness is never possible (see, for example, Tutu, 1999; Cehajic *et al*, 2008). Rather, greater emphasis should be placed on the processes which might facilitate individuals' and groups' acceptance of living alongside one another than on fetishising individual forgiveness as a desired outcome.

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